

RESOLUTION NUMBER 2010-032

A RESOLUTION OF THE KEY WEST PLANNING BOARD GRANTING A CONDITIONAL USE APPROVAL PER SECTION 122-62 AND 122-63 OF THE CODE OF ORDINANCES FOR A BAR AND LOUNGE LOCATED AT 810 DUVAL STREET (RE# 00016940-000000) IN THE HISTORIC RESIDENTIAL COMMERCIAL CORE – DUVAL STREET/OCEANSIDE (HRCC-3) ZONING DISTRICT, PURSUANT TO SECTION 122-748(9) OF THE CODE OF ORDINANCES, KEY WEST FLORIDA; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the subject property is located in the Historic Residential Commercial Core – Duval Street Oceanside (HRCC-3) zoning district; and

WHEREAS, Section 122-748(9) of the Code of Ordinances provides that bars and lounges are allowed as a conditional use within the Historic Residential Commercial Core- Duval Street Oceanside (HRCC-3) zoning district; and

WHEREAS, Section 122-61 of the Code of Ordinances allows applicants to request a conditional use approval; and

WHEREAS, the applicant filed a conditional use application for a bar and lounge to sell beer and wine at 810 Duval Street; and


Chairman

Planning Director

WHEREAS, Section 122-62 outlines the criteria for reviewing a conditional use application by the Planning Board; and

WHEREAS, this matter came before the Planning Board at a duly noticed public hearing on August 19, 2010; and

WHEREAS, the Planning Board found that the proposed use complies with the criteria in Section 122-62; and

WHEREAS, the approval of the conditional use application will be in harmony with the general purpose and intent of the Land Development Regulations, and will not be injurious to the neighborhood, or otherwise detrimental to the public welfare; and

NOW THEREFORE, BE IT RESOLVED by the Planning Board of the City of Key West, Florida:

Section 1. That the above recitals are incorporated by reference as fully set forth herein.

Section 2. That the conditional use request for a bar and lounge with 503 square feet of indoor and 108 square feet of outdoor consumption area for a total of 611 square feet of consumption area in the Historic Residential Commercial Core - Duval Street Oceanside (HRCC-3) zoning district, for

 Chairman
 Planning Director

property located at 810 Duval Street, per Section 122-748 (9) of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida (RE # 00016940-000000), as shown in the attached site plans dated August 10, 2010 with the following conditions:

1. The use is approved for the sale of beer and wine only.
2. There will be no outdoor music on the premises and amplified music will be regulated by the “unreasonable noise” definition of Section 26-191 of the Code of Ordinances. There will be no live music at the site unless approved under a special event permit per Section 6-86 of the City Code.
3. The consumption area is limited to 611 square feet total; 503 square feet indoors, and 108 square feet outdoors.
4. The parking variance request must be approved by the Planning Board.
5. Hours of operation are limited from 10am till 1am Monday through Saturday, and Sunday from 12pm until 1am except for the week of Fantasy Fest, Goombay Festival, and New Years Eve, during which hours of operation will comport with Code Section 18-27.


Chairman

Planning Director

6. Solid waste shall be stored inside the establishment and shall be removed for outdoor storage only during daylight hours.

7. The approved ADA portable lift shall be kept in operating order and shall be available upon request.

Section 3. Full, complete, and final application for all permits required for which this resolution is wholly or partly necessary, shall be submitted in its entirety within 12 months after the date hereof.

Section 4. This conditional use approval does not constitute a finding as to ownership or right to possession of the property, and assumes, without finding, the correctness of applicant's assertion of legal authority respecting the property.

Section 5. This resolution shall go into effect immediately upon its passage and adoption and authentication by the signatures of the presiding officer and the Clerk of the Commission.

Section 6. This resolution is subject to appeal periods as provided by the City of Key West Code of Ordinances (including the Land Development Regulations). After the City appeal period has expired, this permit or development order will be rendered to the Florida Department of Community Affairs. Pursuant to Chapter 9J-1, F.A.C., this permit or development order is not effective for forty


 Chairman
 Planning Director

five (45) days after it has been properly rendered to the DCA with all exhibits and applications attached to or incorporated by reference in this approval; that within the forty five (45) day review period the DCA can appeal the permit or development order to the Florida Land and Water Adjudicatory Commission; and that such an appeal stays the effectiveness of the permit until the appeal is resolved by agreement or order.

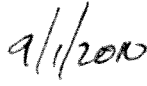
 Chairman
 Planning Director

Read and passed on first reading at a regular meeting held this 19th day of August, 2010.

Authenticated by the Chairman of the Planning Board and the Planning Director.

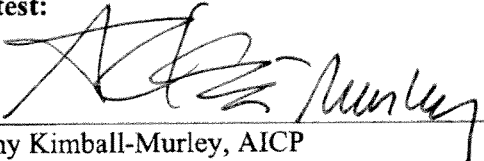


Richard Klitenick, Chairman
Key West Planning Board

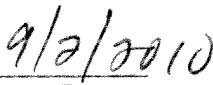


Date

Attest:

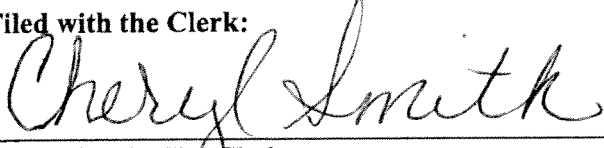


Amy Kimball-Murley, AICP
Planning Director

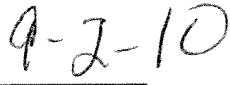


Date

Filed with the Clerk:

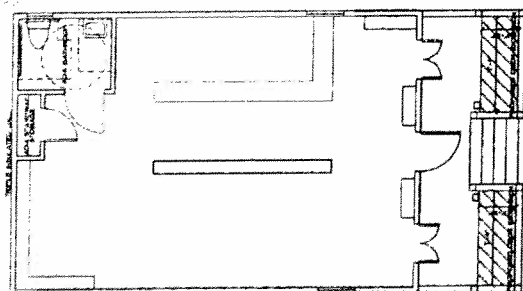
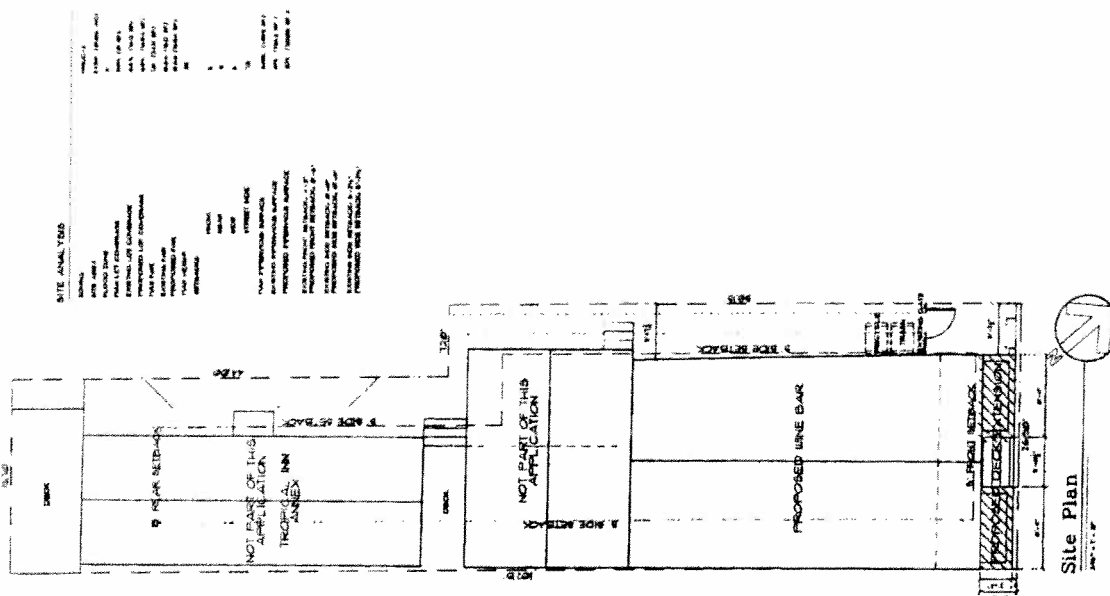


Cheryl Smith, City Clerk

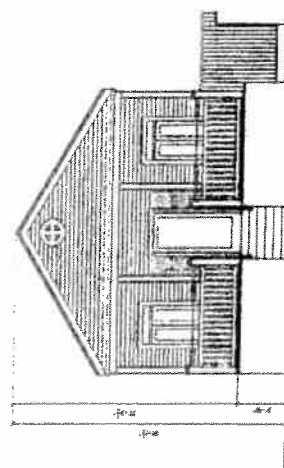


Date

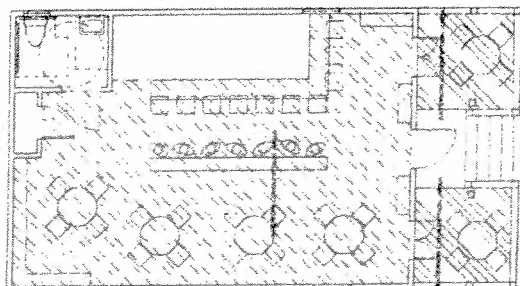
810 Duval Street



Floor Plan



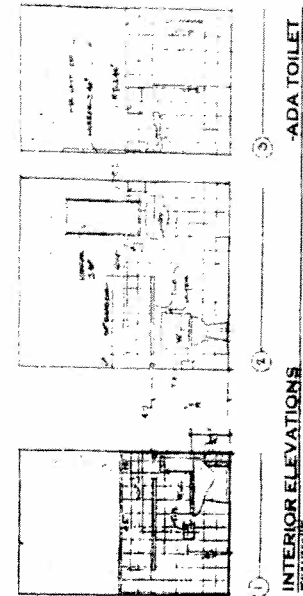
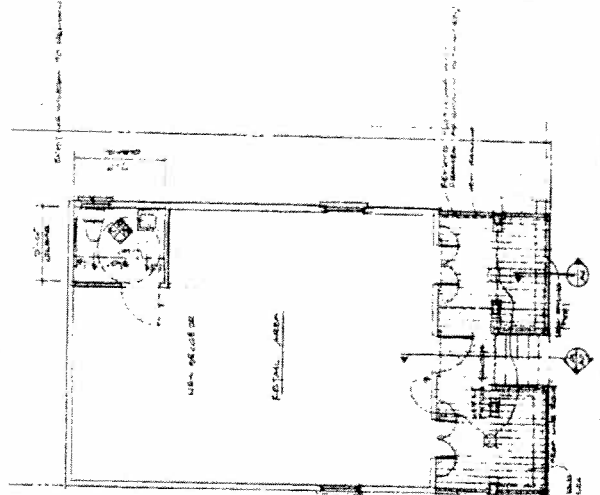
Front Elevation



Consumption Area

© 1999 American
Psychological Association
0893-3200/99/2403-0233\$10.00
DOI: 10.1037/0893-3200.24.3.233

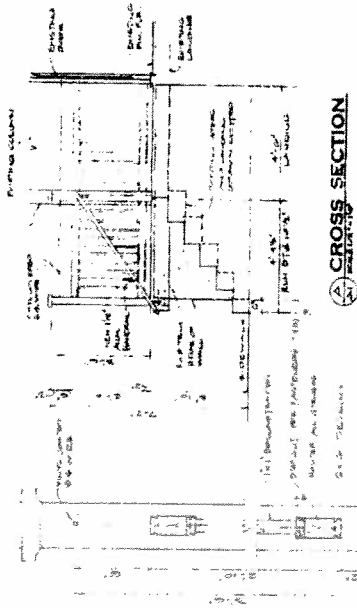
Rink
 9/1/2010
 Stacy
 9/3/2010

[illegible]

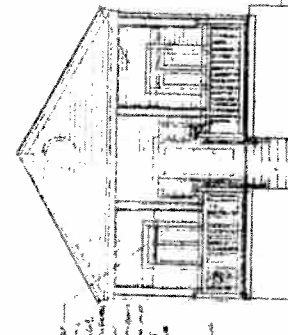
FORN POLICY AND THE REVIEW COMMISSION

APR - 27, 20 PARTIAL FIRST FLOOR PLAN

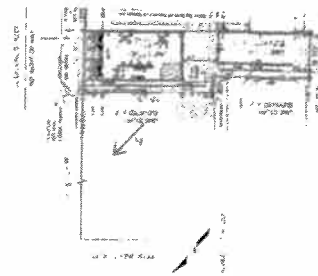
Deposited



CROSS SECTION



PROPOSED NORTH ELEVATION



2019年12月

9/1/2010
9/1/2010

[illegible]